

Jeffrey N. Pomerantz, Esq.
Andrew W. Caine, Esq.
(admitted *pro hac vice*)
Jason S. Pomerantz, Esq.
(admitted *pro hac vice*)
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Boulevard
Los Angeles, California 90067-4100
Telephone: (310) 277-6910
Telecopy: (310) 201-0760

Lynn L. Tavenner, Esq. (VA Bar No. 30083)
Paula S. Beran, Esq. (VA Bar No. 34679)
TAVENNER & BERAN, PLC
20 North Eighth Street, 2nd Floor
Richmond, Virginia 23219
Telephone: (804) 783-8300
Telecopy: (804) 783-0178

Counsel to Alfred H. Siegel, as Trustee of the Circuit City Stores, Inc. Liquidating Trust

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et al.</u> , ¹	:	Case No. 08-35653-KRH
	:	
Debtors.	:	(Jointly Administered)
	:	
	:	

**STIPULATED ORDER RESOLVING PROOF OF CLAIM
NUMBERED 15207 FILED BY LOUISIANA DEPARTMENT OF REVENUE**

WHEREAS, on November 10, 2008 (the “Petition Date”), Circuit City Stores, Inc. (“Circuit City”) and its debtor subsidiaries (collectively, the “Debtors”) commenced chapter 11 cases by filing voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C §§ 101-1532 (as amended, the “Bankruptcy Code”); and

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective federal tax identifications numbers, are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), Prahs, Inc. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512). The current address for these entities is 200 Westgate Parkway, Suite 100, Richmond, VA 23233.

WHEREAS, on September 14, 2010, the Court entered its *Findings of Fact, Conclusions of Law and Order Confirming Modified Second Amended Joint Plan of Liquidation of Circuit City Stores, Inc. and its Affiliated Debtors and Debtors in Possession and its Official Committee of Creditors Holding General Unsecured Claims* (the “Confirmation Order”) confirming the Plan, and the Liquidating Trust established thereunder, and on November 1, 2010, the Plan became Effective; and

WHEREAS, the Trust, on behalf of the creditors of the Debtors’ bankruptcy estates pursuant to the Plan and the Confirmation Order, is duly authorized to investigate, prosecute, enforce, compromise, settle, adjust, collect or otherwise dispose of claims and causes of action on behalf of, or against, the Debtors, including actions to avoid and recover certain transfers made by the Debtors. This Agreement is subject in all respects to the terms and conditions of the Plan and the Liquidating Trust Agreement; and

WHEREAS, on February 1, 2011, the Louisiana Department of Revenue (the “Department” or “LDR”) filed a proof of claim in the amount of \$3,990,694.51, asserting priority status as to \$3,427,472.41, with the balance of \$563,222.10 as non-priority unsecured, which claim was designated as Claim No. 15207 (“Claim 15207”) by the court-appointed claims agent; and

WHEREAS, on February 28, 2011, the Trust filed *Objection to Claim Nos. 514, 13514 and 15207 Filed By The Louisiana Department Of Revenue* (Docket No. 10064), challenging the Claim 15207 and other claims filed by the LDR; and

WHEREAS, the Parties have disagreements with respect to the validity of Claim 15207, and desire to resolve these differences, and

ACCORDINGLY, the parties have stipulated to and the Court orders as follows:

1. The Trust and the Department have entered into a settlement agreement concerning the allowed amount and priority of Claim 15207.
2. The Department has agreed to accept the distribution made by the Trust on account of Claim 15207 in full and complete satisfaction of all liabilities asserted in Claim 15207.

Dated: May __, 2013

SO ORDERED:

Honorable Kevin R. Huennekens
United States Bankruptcy Judge

WE ASK FOR THIS:

/s/ Lynn L. Tavenner

Lynn L. Tavenner (VA Bar No. 30083)
Paula S. Beran (VA Bar No. 34679)
TAVENNER & BERAN PLC
20 North Eighth Street, 2nd Floor
Richmond, Virginia 23219
Telephone: 804-783-8300
Facsimile: 804-783-0178

-and-

Jeffrey N. Pomerantz (CA Bar No. 143717)
Andrew W. Caine (CA Bar No. 110345)
PACHULSKI STANG ZIEHL & JONES LLP
10100 Santa Monica Boulevard, 13th Floor
Los Angeles, California 90067-4100
Telephone: 310-227-6910
Facsimile: 310-201-0760

Counsel for the Circuit City Stores, Inc.
Liquidating Trust

And

/s/ Adrienne D. Quillen

Adrienne D. Quillen, La. Bar No. 32220
Jason M. DeCuir, La. Bar No. 28015
Kimberly Doley, La. Bar No. 34521
Debra Morris, La. Bar No. 20304
Florence B. Saenz, La. Bar No. 25493
Antonio Ferachi, La. Bar No. 30498
State of Louisiana, Department of Revenue
Post Office Box 4064
617 North Third Street
Baton Rouge, LA 70821-4064
Phone: 225-219-2080
Fax: 225-231-6235
**Attorneys for the Secretary of the
Department of Revenue, State of Louisiana**

CERTIFICATION

I hereby certify that the foregoing proposed Order has been either served on or endorsed by all necessary parties.

/s/ Lynn L. Tavenner

Lynn L. Tavenner, Esquire (Va. Bar No. 30083)
20 North Eighth Street, 2nd Floor
Richmond, Virginia 23219
Telephone: 804-783-8300
Facsimile: 804-783-0178